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Attorneys for Plaintiff  
RUSSIAN HILL CAPITAL, LP

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RUSSIAN HILL CAPITAL, LP,  
  
Plaintiff,  
  
vs.

ENERGY CORPORATION OF AMERICA  
and DOES 1-10,  
  
Defendants.

Case No. 3:15-cv-02554-HSG

**STIPULATION AND ORDER SETTING  
TIME FOR RESPONSE TO FIRST  
AMENDED COMPLAINT**

Honorable Haywood S. Gilliam, Jr.  
Courtroom 15

The parties, by and through their respective counsel of record, stipulate as follows:

WHEREAS, Plaintiff Russian Hill Capital, LP filed and served its First Amended Complaint for: (1) Fraud (2) Misrepresentation of Facts – Cal Corp Code § 25501 (3) Violation of Section 14(e) of Exchange Act (the “First Amended Complaint”) on July 7, 2015;

WHEREAS, Defendant Energy Corporation of America moved to dismiss the First Amended Complaint;

WHEREAS, Defendant Energy Corporation of America moved to dismiss the First Amended Complaint;

WHEREAS, by order entered March 15, 2016, the Court granted in part and denied in part Defendant's motion to dismiss, granting Plaintiff 30 days' leave to amend the dismissed claim under Section 14(e) – that is, until April 14, 2016;

WHEREAS, Defendant and Plaintiff have agreed to clarify the date for Defendant's response to the First Amended Complaint; and

WHEREAS, the requested schedule will not modify the schedule the Court set for a Case Management Conference on April 19, 2016;

THEREFORE, subject to the Court's approval, the parties stipulate as follows:

1. Defendant's response to Plaintiff's remaining claims in the First Amended Complaint shall be due on or before April 14, 2016.

2. This Stipulation is without prejudice to further scheduling discussions and suggestions to the Court that the parties may engage in should Plaintiff elect to amend the First Amended Complaint.

Dated: March 28, 2016

KAUFHOLD GASKIN LLP

By: /s/ Steven S. Kaufhold  
Steven S. Kaufhold

Attorneys for Plaintiff  
RUSSIAN HILL CAPITAL, LP

Dated: March 28, 2016

VINSON & ELKINS L.L.P.

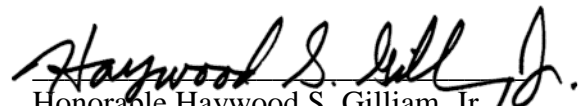
By: /s/ Michael L. Charlson  
Michael L. Charlson

Attorneys for Defendant  
ENERGY CORPORATION OF AMERICA

### **ORDER**

Pursuant to the above stipulation, it is **SO ORDERED**.

Dated: March 29, 2016

  
Honorable Haywood S. Gilliam, Jr.  
United States District Judge

**Civil L.R. 5-1(i)**

I, Michael L. Charlson, hereby attest that Steven S. Kaufhold has concurred in the filing of this document.

By: /s/ Michael L. Charlson  
Michael L. Charlson

**CERTIFICATE OF SERVICE**

The undersigned certifies that on March 28, 2016, the foregoing document was filed with the Clerk of the U. S. District Court for the Northern District of California, using the court's electronic case filing system (ECF), in compliance with Civil L.R. 5-1. The ECF sends a Notice of Electronic Filing (NEF) to all parties and counsel who have appeared in this action and who have consented under Civil L.R. 5-1 to accept that NEF as service of this document.

Dated: March 28, 2016

VINSON & ELKINS L.L.P.

By: /s/ Michael L. Charlson  
Michael L. Charlson